

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
No. 3:22-cv-191

KANAUTICA ZAYRE-BROWN,

Plaintiff,

v.

NORTH CAROLINA DEPARTMENT OF
ADULT CORRECTION, et al.,

Defendant.

**APPENDIX TO DEFENDANTS’
MEMORANDUM OF LAW IN SUPPORT
OF THEIR MOTION FOR SUMMARY
JUDGMENT**

(Hearing Requested)

NOW COME Defendants to respectfully submit this Appendix with Exhibits to their Memorandum of Law in Support of their Motion for Summary Judgment.

Exhibit	Description
1	The North Carolina Department of Adult Correction’s policy regarding the Evaluation & Management of Transgender Offenders – DAC 3421-3431; Peiper 30(b)(6) Deposition Exhibit 3
2	Report of Dr. Randi C. Ettner, PhD – dated February 3, 2023
3	Excerpts of the deposition of Kanautica Zayre-Brown, taken on January 18, 2023 – Pages: 1,12-44, 52-82, 92-123, 128-152, 170-180
4	Clinical Encounter with Provider Joseph J. Umesi, M.D. – DAC 1601-1604; Peiper 30(b)(6) Deposition Exhibit 6
5	Excerpts of 30(b)(6) deposition of Arthur Campbell, M.D. on behalf of the North Carolina Department of Adult Correction taken on April 18, 2023 – Pages: 1, 20-30, 50-62, 90-125, 130-158, 165-190, 195-215
6	The North Carolina Department of Adult Correction’s Utilization Management Policy – Campbell 30(b)(6) Deposition Exhibit 4
7	Excerpts of the deposition of Gary Junker, PhD, taken on May 4,2023: Pages 1, 25-30, 40-50, 150-155
8	Excerpts of the deposition of Lewis Peiper, Ph.D., taken on May 1, 2023 – Pages: 1, 40-70, 120-140,

9	Excerpts of 30(b)(6) deposition of Lewis Jonathan Peiper, Ph.D. on behalf of the North Carolina Department of Adult Correction, taken on April 17, 2023 – Pages: 1, 45-90, 95-115, 120-155, 170-180, 190-227
10	May 2020 Division Transgender Accommodation Review Committee Meeting – DAC 5205-000001-5205-000012; Peiper 30(b)(6) Deposition Exhibit 7
11	Excerpts of the deposition of Arthur Campbell, M.D., taken on April 18, 2023 – Pages: 1, 50-60, 70-90
12	Excerpts of the deposition of Brian Sheitman, M.D., taken on May 17, 2023 – Pages: 1, 20-50, 55-75, 80-125, 130-145
13	Division Transgender Accommodation Review Committee Case Summary – DAC 3399-3403; Peiper 30(b)(6) Deposition Exhibit 11
14	Position Statement Written by Dr. Campbell – DAC 3404-3415; Campbell 30(b)(6) Deposition Exhibit 4
15	Clinical Encounter Record – 10/1/2017 - DAC 2767-2768
16	Mental Health Assessment Record – 10/13/2017 - DAC 2876-2878
17	Mental Health Progress Note – 11/14/2017 – DAC 2852-2853
18	Gender Dysphoria Treatment Plan – DAC 2867-2868
19	Medical Treatment Refusal Record – DAC 389
20	Mental Health Progress Note – Dated: 12/7/2018 – DAC 2485
21	August 2019 Division Transgender Accommodation Review Committee Report – DAC 1913; Peiper 30(b)(6) Deposition Exhibit 5
22	Notes Regarding UNC Initial Consults – DAC 1030, 13-18, 732, 520-521
23	UNC Health Urology Encounter Notes-Bradley D. Figler, M.D. – DAC 826-834; Sheitman Deposition Exhibit 14
24	Emails between Peiper Lewis, M.D. and Jennifer Dula, MSW, LCSW – DAC 4523-000001, 4524-00001-4524-00002, 4522-00001-4522-000002; Peiper 30(b)(6) Deposition Exhibit 9
25	Jennifer Dula's Entry of a Transgender Accommodation Summary Note on 10/20/2021 – DAC 686-687; Peiper Deposition Exhibit 6

26	Clinical Encounter Note Entered by Dr. Caraccio on 10/21/2021 – DAC 444-446; Campbel 30(b)(6) Deposition Exhibit 12
27	Division Transgender Accommodation Review Committee Report Final Determination of Referred Accommodation – DAC 3416-3418; Peiper 30(b)(6) Deposition Exhibit 14
28	Various Records from March 2019 – DAC 1552-1553, 1550, 2084, 2080, 2086-2116, 1548-1549
29	Psychiatric Progress Note – 10/27/2021 DAC 683-685; Peiper Deposition Exhibit 11
30	Various Records from August 2019 – DAC 1465, 1916-1949, 1463-1464, 1462, 1822, 1819-1820
31	Various Records from December 2020 and January 2021 – DAC 1182-1183, 1288, 1292, 756, 1159-1162, 1171-1180
32	Mental Health Progress Note - 4/25/2021 – DAC 728-729; Junker Deposition Exhibit 25
33	Various Records DAC 2876-2877, 2487-2489, 1852, 1548-1549, 1843-1844, 1819-1820, 1176-1178, 1172-1173, 1171, 756, 753-754, 738-739, 673-674, 351, 168-169, 156-157
34	Mental Health Progress Note 12/6/2021 – DAC 666-668; Peiper Deposition Exhibit 14
35	Mental Health Progress Note 1/25/2022 – DAC 368; Peiper Deposition Exhibit 15
36	Facility Transgender Accommodation Committee Report – DAC 681-682; Sheitman Deposition Exhibit 17
37	Mental Health Progress Note 11/8/2021 – DAC 673-675; Peiper Deposition Exhibit 13
38	Excerpts of the deposition of Patricia Hahn, Ph.D., taken on April 11, 2023 – Pages: 1, 90-100, 160-190, 200-225
39	Excerpts of the deposition of Marvella Bowman, Ph.D., taken on June 29, 2023 – Pages: 1, 25-45, 50-97
40	Affidavit of Lewis Jonathan Peiper, Ph.D.

This the 5th day of October 2023.

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